



22500 Salamo Road  
West Linn, Oregon 97068  
<http://westlinnoregon.gov>

# UTILITY ADVISORY BOARD MEETING

## Summary Notes

Tuesday, September 8, 2015

5:00 pm – Tour of South Fork Water Board

6:00 pm – Meeting onsite at SFWB  
15962 Hunter Ave – Oregon City, OR 97045

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### 1. Call to Order and Introductions at 6:00 pm

**Members Present:** Ray Kindley, Alice Richmond, Bill Frazier, Edward Keonjian, Erik Miller

**Staff/City Representatives Present:** Lance Calvert, Richard Seals

### 2. Approval of August 2015 Summary Notes

- Bill motioned to approve, Ed seconded the motion. The notes were passed unanimously.

### 3. Ongoing Water Rate Increase discussion

- Last meeting group discussed 20 year financial forecast of water fund. One follow up item requested was to do a regression analysis of the past ten years to find average water use. Richard provided a handout of this information which included usage and associated cost of water. The last fiscal year was very dry which has created a spike in water revenue. Richard was able to determine that the water funds increase would continue to increase at a flat rate (as shown by historical information). It is not projected to increase at a rate comparable to the last fiscal year's spike in water revenue (including annual 5% increase). The group inquired if future large scale development would impact future water revenue (such as large apartment complex). The City does not anticipate such development to drastically increase revenue as trends are generally driven by water use during dry weather (increase watering of landscape). According to Richard, the financial trend is leaning towards needing a rate increase closer to 10% as opposed to the original estimate of 18%. The group discussed analyzing average temperatures of West Linn as this seems to be the main driving factor of water usage.

#### Meeting Notes:

*The Council Chambers is equipped with an induction loop and a limited number of neck loops for the hearing impaired. Please let the City know if you require any special assistance under the Americans with Disabilities Act, please call City Hall 48 hours prior to the meeting date, 503-657-0331.*

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Finding data on projected average temperatures would help predict water usage and therefore help predict future water revenues. Ray suggested analyzing average temperatures of the past 15-20 years. The group suggested focusing on this information from summer months only as this window of time provides the majority of water usage/revenue. The group discussed the possibility of waiting to make decision until August of 2016. Weather conditions of 2015 could be an anomaly. The group wants further analysis prior to making new recommendation to Council.

**4. Discussion of City's position on interpretation of rate increase requirements per Section 44 of the code – review of legal findings**

- Ray discussed concerns about language within the Charter with regards to rate increases. The Charter limits rate increases (annually) to 5% unless passed by voter approval. The group questions if the 5% increase is subject to 5% of the previous year, or 5% of the rate at time of passage (1999). The group received a legal opinion from City's attorney. Richard provided further clarification that he had followed up with the City's attorney (in addition to written legal finding) to double check the response. The legal findings state that the intent of the 5% increase is to base the increase on the "last year's" rate. The City has, since the passing of this measure, based the 5% on the previous year, not 1999 rates. Ray requested further analysis of the language presented to the voters in 1999. The City (to Richard's knowledge) has not received any question or complaints from citizens regarding the current interpretation of the rate increase language within the Charter. Ray suggested the group draft a letter to Richard requesting additional analysis of the legal findings and clear clarification of the ambiguity of the language within the Charter.

**5. Response from City Council regarding letters drafted by UAB members**

- Tabled until the next meeting or to when Council representative is in attendance.

**6. Capital Project Update**

- Lance provided update on Bolton Reservoir and amendment to the current MSA contract (approximately \$45,000) for additional geotechnical analysis that was requested by Dr. Burns and the surrounding neighborhood, expansion of landscaping to include frontage of road improvements (portion paid by Streets fund), and addition of arborist to complete report on site in accordance with CDC. The Council unanimously approved amendment (Mayor Axelrod abstained). The contract for construction is anticipated to be approved by Council in early October, construction to begin after the 1<sup>st</sup> of year (2016) and next summer will see bulk of work including demo onsite and construction on Skyline (including water main and sidewalk construction). Road improvements are being paid for by Streets, drainage improvements will be paid for by Environmental Services, and sidewalk will be paid for out of the General fund. Skyline is anticipated to be closed for the summer while school is out of session. There will be one substantial retaining wall built to address a steep grade that requires additional support. Ray voiced concerns about Council moving forward with approval of construction contract without addressing letter regarding Wilderness Deed submitted by UAB.

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**7. Other Business**

- Alice brought up future tour by Clackamas River Water Providers.

**8. Adjournment**

- Motion to adjourn made at 7:20 pm by Bill, Alice seconded the motion.

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